

1 b. WHEREAS Garden Meadows and Grocery Outlet previously stipulated to extend
2 the time by which Grocery Outlet must file a responsive pleading to the complaint to October 30,
3 2012;

4 e. WHEREAS Garden Meadows and Grocery Outlet desire additional time to attempt
5 to resolve the action and/or attempt to narrow the areas of dispute between the parties before
6 Grocery Outlet files a responsive pleading;

7 f. WHEREAS neither party believes this extension will substantially impact the
8 overall case schedule;

9 g. THEREFORE, Garden Meadows and Grocery Outlet, by their respective
10 undersigned counsel, stipulate and agree as follows: the deadline for Grocery Outlet to file a
11 responsive pleading to the complaint shall be extended to November 9, 2012.

12 **IT IS SO STIPULATED.**

13
14 Dated: October 30, 2012

WATT, TIEDER, HOFFAR
& FITZGERALD, L.L.P.

15
16 By: /s/ Kyle Anne Citrynell
17 Kyle Anne Citrynell
18 Attorneys for Plaintiff
GARDEN MEADOW, INC.

19 Dated: October 30, 2012

DAVIS WRIGHT TREMAINE LLP

20
21 By: /s/ Sanjay M. Nangia
22 Sanjay M. Nangia
23 Attorneys for Defendant
24 GROCERY OUTLET, INC.

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1 Pursuant to Local Rule 5-1, I am the ECF user whose identification and password are
2 being used to file this document. I attest that concurrence in the filing of this document has been
3 obtained from stipulating plaintiff. I have retained records to support this concurrence for
4 subsequent production for the Court, if so ordered, or for inspection upon request by a party, until
5 one year after the final resolution of the action (including appeal, if any).

6
7 By: /s/ Sanjay M. Nangia
8 Sanjay M. Nangia
9 Attorneys for Defendant
10 GROCERY OUTLET, INC.

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DAVIS WRIGHT TREMAINE LLP

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IT IS SO ORDERED.

Dated:



1 **PROOF OF SERVICE**

2 I, Katie Nelson, declare under penalty of perjury under the laws of the State of California
3 that the following is true and correct:

4 I am over the age of 18 and am an employee of Davis Wright Tremaine LLP, and my
5 business address is 505 Montgomery Street, Suite 800, San Francisco, California 94111-6533.

6 On October 30, 2012, I served the following documents through the Court’s electronic
7 filing system:

8 **STIPULATION AND [PROPOSED] ORDER EXTENDING THE TIME TO
9 FILE A RESPONSIVE PLEADING**

10 The above document was served electronically on all parties to this case through the
11 Court’s electronic mail system as indicated below:

12 **Kyle Anne Citrynell**
13 **Christopher Shawn Fox**
14 Seiller Waterman LLC
15 462 S. 4th St.
16 22nd Floor
17 Louisville, KY 40202
18 502-584-7400
19 citrynell@derbycitylaw.com
20 fox@derbycitylaw.com

21 **Joseph Fitzpatrick Moore** Attorneys for Plaintiff
22 Watt, Tieder, Hoffar & Fitzgerald, LLP
23 333 Bush Street, Suite 1500
24 San Francisco, CA 94104
25 jmoore@hansonbridgett.com

26 **Auric David Steele**
27 Seiller Waterman LLC
28 Meidinger Tower, 22nd Floor
462 S. Fourth Street
Louisville, KY 40202
steele@derbycitylaw.com

29 STATE I declare under the laws of the United States of America that I am employed in the
30 office of a member of the Bar of this court at whose direction the service was made and that the
31 foregoing is true and correct.

32 Executed on October 30, 2012, at San Francisco, California.

33 /s/ Katie Nelson
34 _____
35 Katie Nelson

DAVIS WRIGHT TREMAINE LLP